

FISCAL NOTE

SB 782 - HB 1462

March 20, 2003

SUMMARY OF BILL: Establishes the *Tennessee Environmental Policy Act of 2003* which:

- Requires the appropriate government official, prior to commencing a proposed government action, shall review the action in total to determine if such action is likely to have a significant adverse impact on the natural environment including the state's air, land, water, plants, animals, historical sites or buildings, or cultural resources. Findings are to be documented in an environmental assessment report submitted to the Commissioner of Environment and Conservation for review and concurrence.
- Requires the commissioner to:
 - publish notice of the receipt of the environmental assessment report in a newspaper of general circulation in the county in which the proposed action is located within 7 days of receipt.
 - conduct a public hearing to receive comments on the report at least 30 days prior to approving or denying the responsible official's finding.
 - consider all comments received either in writing or during the public hearing prior to approving or denying the report by means of a final order under the Uniform Administrative Procedures Act.
 - prior to January 1, 2004 to promulgate rules and to assist government agencies in the preparation of environmental assessment reports and environmental effect reports.
- Provides if the environmental assessment report concludes that a proposed governmental action may significantly adversely affect the quality of the environment, the government agency responsible for such project shall prepare an environmental effects report to include, but not limited to a discussion of:
 1. The environmental impact of the proposed governmental action
 2. Alternatives to the proposed governmental action
 3. Any adverse environmental effects that cannot be avoided if the proposed governmental action is undertaken
 4. Other effects of undertaking the action as listed in the bill
- Requires that at least 60 days prior to making a decision to proceed with the proposed governmental action, the responsible official shall publish notice of the availability of the draft environmental effects report in a newspaper of general circulation in the county in which the proposed action is located and shall make said report available to the public upon request. The responsible official shall provide a copy of the environmental effects report and all other comments to the commissioner.
- Requires all government agencies to review their present statutory authority, administrative regulations, and current policies and procedures for the purpose of determining whether there are any deficiencies or inconsistencies

therein which prohibit or hinder full compliance with the intent, purposes, and provisions, including the guidelines issued pursuant to section 10 of this act, and shall propose to the governor no later than January 1, 2004, such measures as may be necessary to bring their authority, regulations, policies and procedures into conformity.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - Exceeds \$500,000

Estimate assumes:

- an increase in state expenditures in the Department of Environment and Conservation to implement and maintain the requirements of the bill which cannot be absorbed within the existing resources of the department.
- an increase in state expenditures in other departments of state government that are affected by the requirements of the bill, including the Department of Agriculture which will contract for the preparation of economic assessment reports documenting 22 forest harvesting operations per year.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James A. Davenport". The signature is fluid and cursive, with the first name "James" being the most prominent.

James A. Davenport, Executive Director